

Corres. and Mail  
**BOX AF**

RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
GROUP 2687  
**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q63506

Mutsurou TANOUE, et al.

Appln. No.: 09/812,565

Group Art Unit: 2687

Confirmation No.: 2639

Examiner: Sam Bhattacharya

Filed: March 21, 2001

For: MOBILE SYSTEM

**RESPONSE UNDER 37 C.F.R. § 1.116**

**MAIL STOP AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated October 22, 2004, please consider the remarks as submitted herewith on the accompanying pages.

**REMARKS**

Claims 1-32 are currently pending in the instant Application. Claims 1-5, 8, 9, 12-19, 22-24, 31 and 32 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *Flick* (US 6,512,465 Bs; hereinafter "*Flick*"). Claims 6, 7, 10, 11, 20, 21 and 25-30 have been indicated as being allowable if rewritten in independent form. Applicants decline to rewrite the allowable claims in independent form at this time because it is respectfully submitted that the independent claims from which the allowable claims depend are patentable, as discussed below.


Specifically, Applicants hereby perfect the instant Application's claim to priority by filing an English translation of the priority document, Japanese Application 2000-078150. Accordingly, the latest date of invention attributable to the subject matter of the instant Application is March 21, 2000. March 21, 2000 predates any possible filing date attributable to *Flick*. Thus, *Flick* does not qualify as prior art under 35 U.S.C. § 102(e), nor any other section of 35 U.S.C. § 102. Thus, Applicants respectfully request the withdrawal of the current rejection based on *Flick*.

In view of the foregoing, it is respectfully submitted that claims 1-32 are allowable. Thus, it is respectfully submitted that the application now is in condition for allowance with all of the claims 1-32.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
\_\_\_\_\_  
Timothy P. Cremen  
Registration No. 50,855

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: February 2, 2005